

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JESSE RAYMOND VOSS,

Petitioner,

vs.

D. W. NEVEN, *et al.*,

Respondents.

2:12-cv-00854-KJD-GWF

**ORDER**

This is an action on a petition for writ of habeas corpus brought by Jesse Raymond Voss, a prisoner at High Desert State Prison. Before the Court is respondents' Motion to Seal Exhibit #41 (ECF No. 12), which seeks to preserve the confidential nature of the Presentence Investigation (PSI) Report prepared for petitioner's state court criminal proceedings.

Documents and items filed in cases before this Court are a matter of public record, unless there exists compelling justification for keeping the record private. *U.S. v. Stoterau*, 524 F.3d 988, 1012 (9th Cir.2008). There is a " 'strong presumption in favor of access' ... A party seeking to seal a judicial record then bears the burden of overcoming this strong presumption by meeting the 'compelling reasons' standard. That is, the party must 'articulate [ ] compelling reasons supported by specific factual findings.'" *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir.2006) (citations omitted).

The PSI report is offered in support of respondents' motion to dismiss and, according to respondents, may be necessary to address the merits of the petition. Respondents note that if the

1 PSI report is released to the petitioner and then found in his cell, the information contained in it  
2 could result in a threat to petitioner's safety. Respondents' have shown a compelling reason to  
3 permit the filing of the PSI under seal. Good cause appearing,

4 **IT IS THEREFORE ORDERED** that the Motion to File PSI Under Seal and In  
5 Camera (ECF No. 12) is **GRANTED**.

6 DATED: August 7, 2012



8 UNITED STATES DISTRICT JUDGE